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Drafting Office and Officer

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DEPARTMENT OF STATE

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Memorandum of Conversation.

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SUBJECT: Germany and Berlin

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Approved By: H. D. ~~CONFIDENTIAL~~

August 4, 1975

The Secretary's Suite
Hotel Richemond,
Geneva, Switzerland

PARTICIPANTS: United States
The Secretary
Mr. Akalovsky

USSR
Mr. Gromyko
Mr. Sukhodrev

COPIES TO: S/S - ~~CONFIDENTIAL~~
S/P - Mr. Rostow
G - Mr. Johnson
S/B - Mr. Bohlen
EUR - Mr. Kohler
INR/D - Mr. Hilsman
BTF - Mr. Hillenbrand

OSD - Mr. McNamara
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The Secretary opened the conversation by saying that so much had been said by the two governments on Germany and Berlin at Vienna and since then that it was not easy to know where to turn now. He recalled Mr. Khrushchev's and Mr. Gromyko's statement that the Soviet proposals were not directed against the United States and were not designed to reduce the Western position in Berlin. While not wishing to talk about the intentions of the other party, the Secretary stated the US believed that the objective results of the Soviet proposals at Vienna and since then would indeed greatly reduce or at least limit the Western position in Berlin. He emphasized that it was the objective results we were most concerned about. The Secretary referred to the President's statement at Vienna that the effect of the Soviet proposals would be very far-reaching and negative not only in Berlin and Germany but also throughout the world. He stressed that we had commitments and responsibilities in Berlin and Germany and that they were fundamental to us. In the light of what we believed the direct and immediate effect of the Soviet proposals would be if we agreed to them, the US could not agree that those proposals would be beneficial to it, as Mr. Gromyko had contended. The United States had to look at its position and its interests. It had defined its vital interests and believed that the effect of the Soviet proposals, including some elaboration thereof in Geneva, would injure them deeply. For example, the presence of the West and its forces in West Berlin was of vital interest to us, but the Soviet Union had stated that they must be withdrawn or share their responsibility with Soviet troops.

Turning to the question of access, the Secretary recalled his earlier

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statement that if our vital interests were recognized there would be no problem making access arrangements compatible with what the Soviet Union called respect for the sovereignty of the GDR. However, the Soviet paper on access indicated that there was apparently some misunderstanding on the Soviet part. The Secretary stated he had not meant that access should be subject to East Germans but that it could be compatible with the complete management of East German affairs by local authorities.

Referring to the question of the viability of West Berlin and the maintenance of its way of life, the Secretary stated that it was clear to us that the objective of the Soviet proposals was to undermine and destroy the freedom of West Berlin. This was implied not only in Soviet statements with regard to access, but also in those regarding the freedom of persons to travel to and from Berlin, as well as regarding West Berlin's relations with the outside world, particularly West Germany. Thus the Soviet proposals did not provide for the maintenance of the freedom of West Berlin for any period of time.

The Secretary continued by emphasizing that we of necessity must think very hard of the objective effect of the various proposals. The suggestion that a line be drawn under World War II sounded very good. However, when it turned out to be a reduction or even elimination of the Western position in West Berlin it was another matter. Some other phrases in Soviet proposals implied that they also would have a similar effect on the Western position. In the light of all this, the Secretary suggested that perhaps possible alternatives should be examined. The first alternative would be to do nothing. The second alternative would be to allow a dangerous crisis to develop. The third alternative would be to continue efforts along the lines of the efforts conducted so far and to see whether agreement was possible. Finally, the fourth alternative would be to look at the wide gap between the positions of the two sides, recognize that it was very difficult to reach agreement, and see how disagreement should be handled. Commenting on these alternatives, the Secretary stated that, although he believed that neither the Soviet Union nor the United States would shirk a crisis, he was confident that both recognized that a crisis was not in their interests. On the other hand, efforts to find agreement had not been productive thus far and it was difficult to say now whether they would be productive in the future. As to the question of how to handle disagreement, the problem was to find a method not involving the interests of the West or requiring a formal withdrawal of Soviet proposals.

Mr. Gromyko contended he regretted very much that negotiations had so far been unsuccessful. He claimed that in spite of the fact that the Soviet

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Union had made certain proposals designed to facilitate agreement, the United States Government appeared not to be serious in its intention to strive for an understanding. Referring to the Secretary's statement that the Soviet proposals were objectively aimed at undermining the Western and, in particular, the United States position in Berlin, Mr. Gromyko asserted that the Soviet Government had believed and continued to believe that the solution of the problem of a German peace treaty and the settlement of the West Berlin situation on the basis of such a treaty would not lead to the undermining of the Western or US position, if that position was correctly understood. He recalled his statement that the United States should not fear anything from the implementation of the Soviet proposals if the United States was genuinely desirous of achieving a detente and of strengthening peace. Thus, he contended, if the interests of the big powers were understood correctly, the Soviet proposals would not lead to the undermining of the positions of any power, including the US. Moreover, the Soviet Union believed that a settlement on the basis of the Soviet proposals would be beneficial to all concerned and would be in the interest of peace. The Soviet union did not believe that withdrawal of Western forces from West Berlin and a settlement of the question of a free city of West Berlin on the basis of a peace treaty would in any way diminish the position of the Western powers; on the contrary, their position in Europe and throughout the world would be strengthened because that would be a major act by the Western powers to contribute to a relaxation of tensions and to the strengthening of peace. On the other hand, if the US proceeded from the premise that the situation should remain unchanged, i.e., that the occupation regime in West Berlin should remain as if nothing had happened since World War II, that the situation with regard to communications where the sovereignty of the GDR was being ignored should continue, and that there should be no peace treaty, then it must be stated categorically that the USSR would never agree to that. The USSR believed that changes were needed and it would be very good if an understanding were reached on those changes and if the changes were implemented on an agreed basis.

Mr. Gromyko then recalled the Secretary's remarks that it was possible to make freedom of access compatible with what the USSR called respect for the GDR sovereignty. He asserted that the USSR also believed this to be possible, but wondered what content the Secretary injected in his remarks. When the USSR said that ~~there~~ should be respect for the sovereignty of the GDR, it meant that such ~~respect~~ should be in deeds and not words. However, the Secretary appeared to inject a different content because he qualified his statement by saying ~~there~~ would be no interference in East German internal affairs, thus implying that questions of access were not related to the sovereignty of the

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GDR. If this interpretation of the Secretary's position was correct, then the US conception differed completely from the Soviet conception. In any event, the US position was not quite clear.

Mr. Gromyko continued by asserting that the USSR had given the US, both in Moscow and Geneva, clarification as to its understanding of all these problems, starting with the crucial problem of a German peace treaty and down to the problem of transit through the territory of the GDR. The USSR had given the US detailed views on these matters, including two papers here in Geneva. The USSR had done so in the hope that the US would duly appreciate it and believing that clarification would facilitate understanding. However, the Secretary's remarks seemed to indicate that the US failed to see the main point in the Soviet proposals, because the Secretary had implied that something like a blockade would be established around West Berlin as a result of Soviet proposals. Mr. Gromyko contended that the USSR had no such intention either with respect to the movement of freight or to the movement of persons. All the USSR called for was such respect for the sovereignty of the GDR as was accorded to all states through the territory and air space of which transit took place. Therefore the US should not look in the Soviet proposals for what was not there and what the USSR did not intend to include.

Commenting on the Secretary's alternatives, Mr. Gromyko asserted that he did not know why the Secretary had mentioned the first alternative. He said that there was no question of leaving the situation without change. The United States knew full well that the USSR, together with some other states, would sign a peace treaty with the GDR and any attempt by the US to convince the USSR to leave the situation unchanged, i.e., to put the matter of a peace treaty aside, would be futile. Referring to the Secretary's second alternative, Mr. Gromyko stated that if the US and its allies moved toward crisis, evidently a crisis would be precipitated, but it would be the responsibility of the Western Powers. With regard to the Secretary's third and fourth alternatives, Mr. Gromyko claimed that the distinction between the two was artificial and that they were practically the same. He said that both sides should see where they were close and what separated them. For its part, the USSR was prepared to seek a possibility of understanding and this was attested to by its patience in negotiations. If such readiness also existed on the other side, mutual efforts should be continued. Mr. Gromyko then said that, if he had understood the Secretary correctly, the Secretary appeared to have mentioned at the end of his remarks the possibility of the Soviet Union's withdrawing its proposals. He said that if the Secretary was joking then of course he could understand that remark; on the other hand, if the Secretary was serious, he

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could not possibly understand it. In any event, the correct assumption was that the Soviet would not withdraw its proposals.

Mr. Gromyko then asserted that the USSR was concerned about whether the United States Government believed, as the Soviet Government did, that it was best to seek an understanding on an agreed basis. If the United States did not wish to proceed on the basis of agreement, then the situation was quite different. However, Mr. Gromyko said, he accepted the Secretary's statement that it would be good to agree and to avoid complications between our two states. He said that he agreed with the Secretary's remarks that both countries had a great deal of work to do at home, and that Germany should not make them enemies. He wondered why then the United States took a position which was not facilitating agreement and why it was looking for devious schemes and motives in Soviet proposals. He reiterated his previous contention that neither the USSR nor the GDR needed West Berlin and that the GDR was making a sacrifice by agreeing to the creation of a free city of West Berlin on its territory. He called upon the United States to adopt a more sober position with regard to the Soviet proposals and the Soviet steps to meet the US half way. He observed that it was not useful to stay in place and that this was not the purpose of the USSR in Geneva. Of course, to stay put was better than to go backwards, but it was worse than to move toward understanding.

The Secretary emphasized that the President desired a solution of this and other problems on the basis of agreement. However, this was not possible by simply accepting Soviet proposals, particularly such proposals as cut at the heart of the interests of the West and of the US.

The Secretary expressed the hope that agreement could be reached on the basis of understanding and that the Soviet Union also desired understanding. This had been discussed in Vienna and there was no doubt as to the US position on this point. The Secretary also emphasized that he had no inclination to delve into Soviet motives; what we were concerned about were the objective effects of Soviet proposals, and those effects we must consider very seriously.

Referring to the so-called respect for the sovereignty of the GDR, the Secretary stated that he wished to remind Mr. Gromyko of the US view that, under the circumstances prevailing at the end of World War II and since then, no one was in a position to create sovereignty in East Germany which would have priority over our position in West Berlin and our rights of access. He emphasized strongly that this was not in the hands of the Soviet Union, whose

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position and interests in Germany stemmed from the same fact and stood on the same basis as our position and interests did, namely, the surrender of Nazi Germany.

The Secretary then recalled the US suggestion for an international access authority and stated that it had been made because we believed this was one way of reconciling freedom of access with East Germany's concern for its internal affairs. Noting that the international access authority would involve territories under three jurisdictions -- the FRG, East Germany, and West Berlin -- the Secretary stated there would be very simple arrangements with regard to jurisdiction to be accepted by the three government authorities. He observed that the very acceptance of such arrangements would be compatible with the notion of sovereignty and that there would be no interference with the day-by-day activities in the FRG, West Berlin, or East Germany. The Secretary then stressed that an international authority such as conceived by the US would be quite different from an authority under the administrative arrangements by East Germans and subject to a four-power commission which would probably operate under the rule of unanimity, although the Soviet proposal contained no specific reference to such rule. Such an arrangement would expose access to all the hazards to which Ulbricht might wish to subject it. There was no assurance that the four-power commission could resolve any problems that might arise. Although we were prepared to work on this and see whether it perhaps provided some possibility, we did not see in this arrangement adequate guarantees for West Berlin's future. Furthermore, the Soviet paper indicated that the establishment of an access authority was related to the withdrawal of Western forces from West Berlin, and this was of course a major obstacle from our standpoint. The Secretary then noted that the United States had never held the view that East Germany would not have a normal and active part in the provision of access facilities, such as rail, Autobahn, canals, and in the air. The latter would involve only the question of overflights. The Secretary said that exclusion of the East Germans in these matters would be impractical and unnecessary.

Turning to Mr. Gromyko's comments on the alternatives he had indicated, the Secretary stated that he wished to stress most emphatically what the President had told Mr. Khrushchev in Vienna, namely, that it was not the US who was pressing this problem to a crisis. It was not the United States who had brought up the problem in its present form and therefore we could not accept the responsibility. As to Mr. Gromyko's comment that the distinction between the third and fourth alternatives rested on weak ground, the Secretary said that he wished to illustrate his point. Thus far we had

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apparently been working on the third alternative. There was no need to assume that the alternative was necessarily at a close, although it had not yielded much result. However, there was no agreement in sight today; nor was there a basis for agreement. Nevertheless, both sides must seek to resolve the problem. It was in the light of this that the possibility had been suggested to Mr. Gromyko of reaching agreement on certain simple and short principles, some of which our two governments had already agreed to quite recently, in any case more recently than at the end of World War II. If the heads of governments of our countries could agree on those principles, each principle would open the way for additional negotiations. There would also be stipulation as to what would happen in the meantime. The Secretary said that since Mr. Gromyko might not have obtained a clear picture of this idea when it was first mentioned to him, he had prepared a paper which would clarify what was meant. The paper covered several subjects of interest to both the US and the USSR. The Secretary then handed the paper to Mr. Gromyko, noting that it was being given as a working paper within the framework of personal conversation. He pointed out that the contents of the paper did not require confirmation by the USSR of Western occupation rights in West Berlin, rights which we believed needed no confirmation. The contents of the paper did not stand in the way of a peace treaty but provided for a framework where a peace treaty with East Germany would not inflame the situation.

Mr. Gromyko said he wished to make a few observations. Reverting to the question of access authority, he wondered why the Secretary had mentioned three jurisdictions. He professed that he could not understand the reason for mentioning the West German jurisdiction. He asserted that the question was that of the sovereignty of the GDR, but the US was trying to involve the jurisdiction of West Germany despite the fact that the Secretary himself had correctly stated that West Berlin was not related to West Germany.

As to the question of a peace treaty with the GDR, Mr. Gromyko recalled US statements to the effect that it was up to the USSR whether to sign such a treaty or not. However, he wished it to be clearly understood that the USSR did not regard the conclusion of a peace treaty with the GDR merely as a formal act, but rather as a major political act which must be accompanied by certain changes, by certain measures, and by the solution of certain questions. The USSR had repeatedly mentioned to the Western Powers. It would be one thing if the USSR signed a peace treaty with the GDR with prior understanding regarding the solution of other questions with the US and apparently its allies as well. Then everything would go smoothly. On the other hand, as the USSR had repeatedly stated, if there were no such understanding, the situation would be quite different. The US had stated on many occasions that when the Soviet Union signed

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a peace treaty with the GDR, there should be a prior understanding as to what the situation would be and what measures should accompany such a treaty. The USSR agreed with this and this is why it was negotiating. It would be well if agreement could be found.

Referring to the Secretary's remark that it was not quite clear how decisions would be taken in the four-power commission of the access authority, Mr. Gromyko stated that there were of course certain aspects which would have to be resolved through additional consideration and discussion. However, he thought that in principle it was quite clear that the objective of that proposal was to facilitate agreement with regard to access and the status of West Berlin.

As to the paper given to him by the Secretary, Mr. Gromyko said that he was prepared to consider it as a working paper, just as the two Soviet documents were working papers, but wished to inquire whether the paper had been prepared with due account being taken of the two Soviet documents. He asserted that this was of substantial importance because the Soviet papers had been drafted with the objective of facilitating agreement. He said that he would have comments on the US paper at a later date and facetiously asked what he should tell to his allies now that he had received a US paper.

The Secretary replied that this was up to Mr. Gromyko himself. He said that his paper was not in direct response to the two Soviet papers. It was an illustration of the approach he had mentioned at his first meeting with Mr. Gromyko. The Secretary also observed that we could of course discuss access, perhaps within the context of the Soviet papers, but stressed that the linkage to the withdrawal of Western troops created a formidable problem.

Mr. Gromyko observed that there was not much point in exchanging papers unless account was being taken of their respective contents.

The Secretary reiterated that his paper was not in response to the Soviet papers but was rather in the context of earlier discussions. Noting that he had already made some observations on the two Soviet papers, the Secretary wondered whether it might perhaps be profitable if some of his and Mr. Gromyko's associates discussed them further, although he would be prepared to do that personally with Mr. Gromyko. He said that a number of points required clarification, such as, for instance, the question of the unanimity rule in the access authority, if we were fully to understand the Soviet papers.

Mr. Gromyko

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Mr. Gromyko replied that either procedure was acceptable. Reverting to the question of access authority, he emphasized that the Soviet proposal was linked to the withdrawal of Western forces from West Berlin and their replacement with neutral or UN troops. The Soviet proposal for access authority could be considered only in that context, because it was not a separate proposal.

The Secretary replied that this was how we understood the Soviet proposal and that in that sense it did not advance us very far. He strongly emphasized that the presence of Western forces in West Berlin was fundamental to us.

Mr. Gromyko responded that if this was fundamental to the US, the USSR also believed that it was one of several fundamental questions, such as the question of a peace treaty, which was primary and decisive, the question of respect for the sovereignty of the GDR, the question of the status of a free city of West Berlin, etc..

The Secretary concluded the conversation by recalling his statement that many problems would fall into place if the central questions were resolved.

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